

Appeal Brief Amendment
Appl. No. 10/062,346
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Applicant: Bennett et al.
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Docket No.: AUS920010505US1
Customer No.: 46129
Title: METHOD AND SYSTEM FOR NAVIGATING THROUGH A
REPOSITORY OF DISPLAYS

Honorable Commissioner
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**APPELLANT'S BRIEF
IN RESPONSE TO NOTIFICATION OF NON-COMPLIANT
APPEAL BRIEF**

This brief is filed to amend the amended Appeal Brief on May 31, 2006 in support of the previously filed Amended Appeal Brief and Appeal Brief in support of the previously filed Notice of Appeal, which was filed March 31, 2006, which appealed from the decision of the examiner dated October 31, 2005, rejecting claims 1-24. The fee required under 37 C.F.R. § 1.17(c) for filing a brief in support of an appeal was submitted with the original appeal brief filed on May 31, 2006. The brief has been amended in accordance with instructions in the Notification on Non-Compliance Appeal Brief mailed on September 18, 2006.

1. REAL PARTY IN INTEREST

The real party in interest in this appeal is International Business Machines Corporation (IBM).

2. RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

3. STATUS OF CLAIMS

Claims 1-24 are pending in this application; claims 1-24 have been finally rejected; claims 1-24 have been appealed. No claims have been allowed.

4. STATUS OF AMENDMENTS

No current amendments are pending.

5. SUMMARY OF THE CLAIMS

Claim 1 describes a method for navigating through a repository of displays while maintaining knowledge of the location of any currently being viewed. This display enables the viewer to know the specific location (Fig. 4) of a particular item within the context of the repository. This location not only includes the path through which they navigated to get to the item, but also a view of the path in the context of the entire repository (Fig. 5). The claim displays a main folder (50) having a set of directories (51) in the repository from which the viewer can start the process of navigation and obtaining a desired image (60) from the repository. From this main directory, the viewer can select an entry (510) in that directory. The invention has the ability to display a complete hierarchy of information from the selected entry (Fig. 5). This hierarchy of information includes the path through multiple subdirectories (53, 54) from the main directory to the selected item. The entire directory is displayed (Fig. 5) along with the particular path

such that the viewer can observe the path in the context of the entire directory. The selected item at the end of the path comprises a row of buttons (Fig. 4, 45) corresponding to the number of display sets (Fig. 4, 46) in the selected item and a second number of buttons corresponding to the number of specific displays in the number of display sets. At this point the viewer can select and view a specific display from the row in one of the display sets (Fig. 6). This approach enables a viewer to know the specific location of an item (slide) in the context of the entire repository of graphical displays such that the viewer can easily locate a desired item and know how to navigate through the repository to get to the item (60).

Claim 12 is the implementation of claim 1 in a computer program product. This claim contains instructions for executing the steps described in claim 1. The instructions of claim 12 include instructions for displaying a main folder (50) of directories in the repository from which a user can select one of the directories to navigate through to review graphical displays. This claim has instructions for displaying the complete hierarchical information for a selected directory (Fig. 5) from the main folder (50) of directories, hierarchical information includes the categories of graphical display sets for a selected entry in the directory (53, 54). Instructions also provide for displaying a viewing screen of the graphical display sets for a selected graphical display set (Fig. 4, Fig. 6), the viewing screen containing a row of buttons (45) corresponding to the number of display sets in the selected category and a second row of buttons (46) corresponding to the number of displays in a selected display set. Finally, instructions provide for displaying a graphical display corresponding to one of buttons (60) selected from the row of buttons (62) corresponding to the number of displays in a selected display set.

Claim 23 describes a system for navigating through a repository of graphical displays and maintaining knowledge of the location of any display currently being viewed. The main feature of this system is a display repository containing graphical displays that are arranged into sets of displays (Fig. 4) and stored in said repository in a directory hierarchical tree configuration (Fig. 5) containing a series of sub-directories (53, 54) that link to the location of a display in said repository. Display sets have a grid configuration

with a vertical row of buttons (Fig. 4, 45) that represent specific sets of display items or images. Each button in the vertical row corresponds to a set of display items stored in a horizontal row (46). The vertical row of display sets (45) and the corresponding sets of display items for display set in the vertical row form the grid configuration. This system also contains a navigator program (Fig. 7) that enables a viewer to move through a repository of directories (50), subdirectories (53, 54) and display sets (62) and displays (60), while creating a marked path from the main directory to the ultimately selected display item (Fig. 5).

6. GROUNDS OF REJECTIONS TO BE REVIEWED ON APPEAL

6.A. – Was 35 U.S.C. § 102(e) properly applied in a rejection of claims 1-24 as being anticipated by Mavrommati et al. (U.S. Patent 6,842,185)?

7. ARGUMENTS IN SUPPORT OF SEPARATE PATENTABILITY

Arguments in support of separate patentability

Applicants' present invention provides a method and system to enable a user to navigate through a repository of graphical displays and maintain the knowledge of the location of any display in the repository at any time. The purpose of the navigation activity could be to enable a user to create a slide presentation by searching, selecting, downloading and compiling slides from a central slide repository located on a computing network. The invention comprises two main components: the first component relates to the ability to navigate through a hierarchical repository of displays and locate a desired display. During this navigation activity, the complete path traveled through the series directories and subdirectories is displayed to the viewer such the viewer will know what item was selected at each decision point of the navigation activity. The second component of the invention is the arrangement of the items in the repository that simplifies the selection process. The items are stored as display items in a display set. In the lowest storage level of sub-directory in the repository, there is a vertical row (column) that controls the selection of a display set such as a slide presentation. The horizontal row has buttons that control the selection of a particular slide, item or image from that presentation represented by the button in the vertical row.

Therefore, in accordance with this invention, graphical displays are arranged in a repository in a grid-like configuration such that a list of groups of displayed in one direction and the specific displays within that group are listed in another direction (preferably, this second direction is perpendicular to the direction of the list of groups of displays). These groups of slides are arranged in set of directories and sub-directories that are linked to each directory. A hierarchy of the display repository displays the particular directory and sub-directory path taken by a user to retrieve any particular graphical display. With this invention, a user can easily navigate through the display repository and

select displays and can easily determine their location in the display repository at any time during a search.

The cited reference Mavrommati describes an information processing system, in which a first sequence of icons is displayed one after the other on the display. The current icon being displayed is made selectable to the user of the system. Upon selection of a particular icon of the first sequence, a second sequence of icons associated with the selected icon of the first sequence are displayed one after the other in another field on the display. The sequences of icons, displayed in the different fields, constitute a hierarchical two-level menu structure, which can now be realized with only two fields on the display.

Distinctions between Applicants' present invention and Mavrommati

Applicants submit that both 6,842,185 (Mavrommati) and Applicants' present invention describe methods of navigating multiple displays in a hierarchy of displays in a repository. However, there are several features that distinguish the two methods. Mavrommati (6,842,185) describes a method that has one icon displayed at a time. With regard to the first component of Applicants' present invention, Figure 5 of Applicants' present invention shows a display of a complete hierarchical path from the main directory down to the lowest subdirectory. Figure 5 shows a series of directories and subdirectories (50, 51, 52, 53 and 54). This entire hierarchy is simultaneously displayed to the viewer. At each selection, the choices are shown and the choice that was made is highlighted. The highest or main directory 50 is shown as part of this path. The complete path goes from main directory 50 all the way down to the lowest selected subdirectory.

In Mavrommati, a main or initial directory 202 scrolls across the user screen one by one in a loop with some time between each icon. The first level looping icons 202, can be used to launch a second level looping icons (206, 208, 210 and 212), which can then be used to launch detailed information. In a comparison of the inventions, main directory 50 of Applicants' present invention is analogous to the initial level 202 of Mavrommati. In the present invention, each entry of the main directory is always shown on the screen while in Mavrommati, only one entry at a time is shown on the screen.

Mavrommati describes a system capable of displaying two levels of the hierarchy at one time. However, Mavrommati states in column 4, lines 20 through 25 that the system can display more than two levels at a time. Although, this statement is made, Mavrommati does not describe a scenario using multiple levels. Further, it is difficult to have this type of implementation because the looping activity occurs at each level (see claim). Mavrommati describes a second sequence of icons in a second timed loop wherein the second field is configured to contain a single second icon as a currently displayed second icon (column 2, lines 38-42). It is unclear from Mavrommati how one can simultaneously display multiple levels (more than two) of the directory with this looping activity that is part of Mavrommati.

Further, according to Mavrommati, one objective is to have fewer icons displayed in order to reduce confusion from having to select from a large number of icons on the screen (Column 1, lines 65-67). With this approach, for practical reasons the total number of icons at each of the two levels is low. Four icons looping at each level ($4 \times 4 = 16$) is probably the maximum, otherwise the time it takes to loop would increase the navigation time to an unacceptable amount. This objective is directly opposite of the approach of the present invention.

With regard to claims 1 and 12, the Examiner states that Mavrommati discloses displaying the complete hierarchical information for a selected directory from the main folder of directories. As mentioned above, Mavrommati only shows the hierarchical path of entries, but not the complete hierarchical information. Referring to Figure 2 and column 4, line 1 of Mavrommati, icons from sequence 202 are shown on the screen in field 204. Once the user selects an icon from sequence 202, the icons associated with the selected icon are shown in field 214. When an icon is selected, only that icon selected is displayed. Selected icon I12 will be displayed in field 204, but not the other icons in that sequence. This pattern is implemented at each directory. Therefore, the result is only a display of the selection path, but not the complete hierarchical directory as implemented in Applicants' present invention.

With regard to the second component of the present invention, the selection of an image, Mavrommati does not discuss this activity. The present invention describes this activity in Figures 4, 6 and 7. The location in Mavrommati cited by the examiner refers

to Figure 2, which is the display of the directory and not the display of specific items. Applicants do submit that the claim language for this component could be more accurately presented to illustrate separate rows for the display sets and display items in the grid like configuration. This grid configuration facilitates the search for and selection of items from the repository.

With regard to claims 10 and 12, Mavrommati does not do any simultaneous displaying each selected directory and sub-directory as a window on the same display screen. As mentioned, Mavrommati wants to reduce the number of items on the screen. For this purpose, Mavrommati employs the scroll method.

Under 35 U.S.C. § 102(e), each element of a claim has to be disclosed in the reference cited by the Examiner. Contrary to the Examiner's assertion that all of the elements of Mavrommati are disclosed in Applicants' present invention, the elements of:

- displaying the complete hierarchical information for a selected directory from the main folder of directories, hierarchical information includes the categories of graphical display sets for a selected entry in the directory;

- displaying a viewing screen of the graphical display sets for a selected graphical display set, the viewing screen containing a row of buttons corresponding to the number of display sets in the selected category and a second row of buttons corresponding to the number of displays in a selected display set; and

- displaying a graphical display corresponding to one of buttons selected from the row of buttons corresponding to the number of displays in a selected display set;

as described claims 1 and 12 and included in all claims depending there from in Applicants' present invention are not so disclosed. Therefore, Applicants submit that the rejection of claims based on the cite Mavrommati (U.S. Patent 6,842,185) reference is unsupported by the art and should be withdrawn.

With regard to independent claim 23, the system contains as a component a navigator program for maneuvering through the directories and sub-directories of graphical displays. This program enables the system to perform the functions as

described in the method of the present invention. The reference cited by the Examiner is the same Figure 2 of Mavrommati. Further, the assertion by the Examiner that Mavrommati is not accurate. The Examiner asserts that Mavrommati discloses displays being arranged into sets of displays and stored in a repository in a hierarchical tree configuration. This description refers to the navigation activity and not to how the images/items are stored in the repository. In the present invention, Figures 4, 6 and 7 illustrate the storing of images in a repository. This configuration of Applicants' present invention is not described or discussed in Mavrommati. As mentioned, Mavrommati's focus is on the navigation activity and the selection activity at the completion of the navigation activity.

Under 35 U.S.C. § 102(e), each element of a claim has to be disclosed in the reference cited by the Examiner. Contrary to the Examiner's assertion that all of the elements of Mavrommati are disclosed in Applicants' present invention, the elements of:

a navigator program for maneuvering through the directories and sub-directories of graphical displays; and

control buttons on a screen of a local computer to provide selecting a specific graphical display from a set of displays in a display group.

8. CONCLUSION

As previously discussed, the cited reference Mavrommati (6,842,185) is focused on having one icon displayed at a time, the icons being shown one by one in a loop with say a couple of seconds in between each icon. The first level looping icons, can be used to launch a second level looping icons, which can then be used to launch detailed information. For practical reasons the total number of icons at each of the two levels is low. Four icons looping at each level ($4 \times 4 = 16$) is probably the maximum, otherwise the time it takes to loop would increase the navigation time to an unacceptable amount.

Applicants submit that both 6,842,185 (Mavrommati) and the patent application, 20030142145 are about navigating in icons, by letting first selection of icon display a group of icons that are lower in a hierarchy. However, there are many differences between the two inventions. The user experience and purpose is entirely different for the two inventions. Applicants' present invention has a display is for navigating in a large

number of presentation slides, say ($16 \times 64 = 1024$) against the mentioned ($4 \times 4 = 16$). The display of Applicants' invention is two dimensional, which is not the case with Mavrommati (6,842,185). Applicants' present invention is related to navigating in and picking PowerPoint presentation slides for download. A major distinction is that the display of Applicants' invention is not looping the icons. As discussed this looping activity makes it impossible to simultaneously show a complete display of the path through a configuration of directories and subdirectories that a viewer takes to reach a selected image stored in the repository. In one example, with Mavrommati, the initial or main directory is not shown after the initial selection of an entry from that directory.

Applicants submit that all of the pending claims are in condition for allowance. Applicants further submit that the amendments as discussed with the Examiner were for the purpose of further defining the impersonator programs of the present invention. Applicants believe that no additional search should be required in view of the type of amendments Applicants made to the claims. Therefore, withdrawal of the rejections and passage to issuance is respectfully requested.

In view of the above arguments, it is respectfully urged that the rejection of the claims should not be sustained.

Respectfully Submitted,



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APPENDIX A

Claim 1 (Original) A method for navigating through a repository of graphical displays and maintain knowledge of the location of any display currently being viewed comprising the steps of:

displaying a main folder of directories in the repository from which a user can select one of the directories to navigate through to review graphical displays;

displaying the complete hierarchical information for a selected directory from the main folder of directories, hierarchical information includes the categories of graphical display sets for a selected entry in the directory;

displaying a viewing screen of the graphical display sets for a selected graphical display set, the viewing screen containing a row of buttons corresponding to the number of display sets in the selected category and a second row of buttons corresponding to the number of displays in a selected display set; and

displaying a graphical display corresponding to one of buttons selected from the row of buttons corresponding to the number of displays in a selected display set.

Claim 2 (Original) The method as described in claim 1 wherein said step of displaying the complete hierarchical information for a selected directory from the main folder of directories further comprises:

a) displaying a set of entries for a selected directory from the main folder of directories;

b) determining whether the selected entry is a sub-directory;

c) when the selected entry is a sub-directory, displaying entries from the current sub-directory;

d) determining whether a selected entry in the current sub-directory is a sub-directory; and

e) when the selected entry in the current sub-directory is a sub-directory, displaying entries from the current sub-directory; and f) repeating steps (d) and (e) until a selected entry in a sub-directory is not a sub-directory.

Claims 3 (Previously presented) The method as described in claim 1 wherein said step of displaying a graphical display comprises initially displaying a thumbnail view of a selected graphical display prior to displaying a full view of the selected graphical display.

Claim 4 (Original) The method as described in claim 3 further comprising the step of displaying a full screen version of a selected graphical display following the initial thumbnail view of a selected graphical display.

Claim 5 (Original) The method as described in claim 3 further comprising for each directory that is a sub-directory the step of displaying the set of entries in that sub-director when a cursor moves over that entry.

Claim 6 (Original) The method as described in claim 2 further comprising the step of displaying a set of categories of graphical display groups, each group containing sets of graphical displays.

Claim 7 (Original) The method as described in claim 2 wherein said the step of displaying entries for a selected directory or sub-directory further comprises reading pointer information located in the selected directory and returning objects of the pointer.

Claim 8 (Original) The method as described in claim 7 wherein entries from a directory or sub-directory are displayed when a curser moves over a directory or sub-directory.

Claim 9 (Original) The method as described in claim 2 wherein a set of entries for an entry selected from a directory or subdirectory are displayed when the selected entry is a directory, sub-directory or display category set.

Claim 10 (Original) The method as described in claim 1 wherein said step of displaying the complete hierarchical information for a selected directory from the main folder of directories further comprises simultaneously displaying each selected directory and sub-directory as a window on the same display screen.

Claim 11 (Original) The method as described in claim 10 further comprising highlighting each selected entry in each selected directory or sub-directory.

Claim 12 (Original) A computer program product in a computer readable medium for navigating through a repository of graphical displays and maintain knowledge of the location of any display currently being viewed comprising:

- instructions for displaying a main folder of directories in the repository from which a user can select one of the directories to navigate through to review graphical displays;

- instructions for displaying the complete hierarchical information for a selected directory from the main folder of directories, hierarchical information includes the categories of graphical display sets for a selected entry in the directory;

- instructions for displaying a viewing screen of the graphical display sets for a selected graphical display set, the viewing screen containing a row of buttons corresponding to the number of display sets in the selected category and a second row of buttons corresponding to the number of displays in a selected display set; and

- instructions for displaying a graphical display corresponding to one of buttons selected from the row of buttons corresponding to the number of displays in a selected display set.

Claim 13 (Original) The computer program product as described in claim 12 wherein said instructions for displaying the complete hierarchical information for a selected directory from the main folder of directories further comprises:

- a) instructions for displaying a set of entries for a selected directory from the main folder of directories;
- b) instructions for determining whether the selected entry is a sub-directory;
- c) instructions for when the selected entry is a sub-directory, displaying entries from the current sub-directory;
- d) instructions for determining whether a selected entry in the current sub-directory is a sub-directory;
- e) when the selected entry in the current sub-directory is a sub-directory, instructions for displaying entries from the current sub-directory; and
- f) instructions for moving from one sub-directory to another sub-directory until a selected entry in a sub-directory is not another sub-directory.

Claim 14 (Original) The computer program product as described in claim 12 wherein said instructions for displaying a graphical display comprise instructions for initially displaying a thumbnail view of a selected graphical display prior to displaying a full view of the selected graphical display.

Claim 15 (Original) The computer program product as described in claim 14 further comprising the instructions for displaying a full screen version of a selected graphical display following the initial thumbnail view of a selected graphical display.

Claim 16 (Original) The computer program product as described in claim 14 further comprising for each directory that is a sub-directory instructions for displaying the set of entries in that sub-director when a cursor moves over that entry.

Claim 17 (Original) The computer program product as described in claim 13 further comprising instructions for displaying a set of categories of graphical display groups, each group containing sets of graphical displays.

Claim 18 (Original) The computer program product as described in claim 13 wherein said the instructions for displaying entries for a selected directory or sub-directory further comprises instructions for reading pointer information located in the selected directory and returning objects of the pointer.

Claim 19 (Original) The computer program product as described in claim 18 further comprising instructions for displaying entries from a directory or sub-directory when a cursor moves over a directory or sub-directory.

Claim 20 (Original) The computer program product as described in claim 13 further comprising instructions for displaying a set of entries for an entry selected from a directory or subdirectory, when the selected entry is a directory, sub-directory or display category set.

Claim 21 (Original) The computer program product as described in claim 12 wherein said instructions for displaying the complete hierarchical information for a selected directory from the main folder of directories further comprises instructions for simultaneously displaying each selected directory and sub-directory as a window on the same display screen.

Claim 22 (Original) The computer program product as described in claim 21 further comprising instructions for highlighting each selected entry in each selected directory or sub-directory.

Claim 23 (Original) A system for navigating through a repository of graphical displays and maintaining knowledge of the location of any display currently being viewed comprising:

- a local computer;

- a display repository housed in a containing graphical displays, said displays being arranged into sets of displays and stored in said repository in a directory hierarchical tree configuration containing a series of sub-directories that link to the location of a display in said repository;

- a computer network for establishing communication between said local computer and said display repository;

- a navigator program for maneuvering through the directories and sub-directories of graphical displays; and

- control buttons on a screen of a local computer to provide selecting a specific graphical display from a set of displays in a display group.

Claim 24 (Original) The system as described in claim 23 wherein said display repository resides in a server machine on said computing network.

EVIDENCE APPENDIX

In accordance with 37 CFR 41.37, submitted herein evidence entered by the examiner and relied upon by appellant in the appeal. The examiner in an office letter dated October 31, 2005 entered the evidence. The evidence includes:

United States Patent Number 6,842,185 Mavrommati

RELATED PROCEEDINGS APPENDIX

There are no related proceedings for this appeal.